

### **REMARKS:**

This application has been reviewed in light of the Office Action mailed December 24, 2009. Reconsideration of this application in view of the below remarks is respectfully requested. By the present amendment, claims 16, 19, 22, 26, 29, 32, and 36-39 are amended. No new subject matter is introduced into the disclosure by way of the present amendment. Claims 16-40 are pending in the application with claims 16, 19, 22, 26, 29, 32, and 36-39 being in independent form.

#### **Rejection under 35 U.S.C. 112, first paragraph**

Claims 19 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Specifically, it is stated that the recitation “including a number of codes showing at least whether the remote control codes are predetermined and fixed or variable and assigned by a user” is not supported in the specification and thus contains new matter. Applicants do not agree. Support can be seen at, for example, paragraphs [0110], [0111] and [0116]-[0118]. As stated in these paragraphs, the code definition unit in which the number of codes is set to "1" or more is a code definition unit for which the remote control codes are determined when the data set is generated (predetermined and fixed) while the code definition unit in which the number of codes is set to "0" is a code definition unit to which a remote control code is assigned when a user operation is performed (variable). Accordingly, Applicants respectfully request withdrawal of the rejection of claim 19.

Claims 16 and 19 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Specifically, it is stated that the recitation “only one predetermined controlling operation” is not supported in the specification and thus contains new matter. Applicants do not agree. Support can be seen at, for example, paragraphs [0020], [0023] and [0064]. Also, claim limitations should be interpreted in light of the specification. It is reasonable to interpret that “a predetermined controlling operation” (the recitation of the claims before previous amendment) is “only one predetermined controlling operation” based on the specification including the above mentioned paragraphs. For example, paragraph [0064] states that “By the display, the user presses an operation button 10 (refer to FIG. 3) of the operation unit 35 to select a channel "10", presses an operation button 13 to turn on/off the power of the television, presses each of the four operation buttons of the function key 17 to adjust the volume and select a channel, etc., thereby allowing the user to easily control the target equipment by pressing any button of the operation unit 35.” (emphasis added). Each of these underlined activities is a single (only one) operation. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 16 and 19.

Claims 22, 26, 29, 32, 36, 37, 38, 39 and their dependent claims are rejected for the same reasons above. These claims comply with 35 U.S.C. § 112, first paragraph, for at least the same reasons mentioned above with respect to claims 16 and 19. Accordingly, Applicants respectfully request withdrawal of the rejection of these claims.

#### **Rejection under 35 U.S.C. § 103 (a)**

Claims 16, 19, 22, 26, 29, 32, and 36-38 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stenman et al. (U.S. Patent No. 6,223,029) (hereinafter “Stenman”) in view of Shim (U.S. Patent No. 6, 078, 270) (hereinafter “Shim”). Applicants respectfully traverse this rejection for the following reasons. The Examiner asserts that Stenman teaches

“storage means for storing a group of remote control codes for only one predetermined controlling operation to be performed on the target equipment; and transmission means for transmitting to the target equipment the group of remote control codes for the only one predetermined controlling operation to be performed on the target equipment in response to a user operation” at column 3, lines 30-33 and column 7, lines 49-65. Stenman teaches a user interface 2050 and command control module 2025, wherein a user can control the various peripheral devices through spoken commands. Control of the peripheral devices 2040 is effectuated via a dual tone multifrequency (DTMF) recognition module 2060 responsive to DTMF commands keyed in by a user. Additional command formats may also be used to control the peripheral device through some types of command module. Alternatively, the user interface 2050 may include means for initiating commands through the use of buttons, a touch screen, joystick or other type of mechanical controller useful for handicap individuals. However, Stenman cannot be said to teach a group of remote control codes for only one predetermined controlling operation as recited in the claims.

Also, these claims are amended to include “transmission means for transmitting to the target equipment the group of remote control codes as a batch for the only one predetermined controlling operation to be performed on the target equipment in response to a user operation.” (emphasis added), which is not taught by Stenman. Support for the amendment can be found at, for example, paragraphs [0082] and [0083].

Shim does not cure the deficiency of Stenman. Shim teaches two operations. In the first operation, a user operates a key matrix 20 that directs outputting a single instruction data set from a remote controller IC 10 buffer, and transmitting the selected single instruction data set using LED. In the other operation, a user operates another key matrix 20 key to direct outputting

plural instruction data sets from a remote controller IC 10 buffer, and transmitting the selected plural instruction data sets using the LED. (See column 3, lines 42-63, and column 4, lines 12-29). Shim teaches 1) a single code for controlling a single function, and 2) multiple codes for controlling multiple operations, each for controlling one operation. By contrast, the claimed invention includes multiple codes for only one operation, which distinguishes from Shim.

Therefore, independent claims 16, 19, 22, 26, 29, 32, and 36-38 are patentable over Shim and Stenman for at least the above-mentioned reason. Accordingly, Applicants respectfully request withdrawal of the rejection with respect to claims 16, 19, 22, 26, 29, 32, and 36-38 under 35 U.S.C. § 103(a).

Claim 17 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stenman and Shim and further in view of August et al. (U.S. Patent No.5,671,267) (hereinafter “August”). August is cited as teaching that the group of remote control codes forms recording information for recording of a program. However, August does not cure the deficiency of Stenman and/or Shim. Claim 17 depends on independent claim 16, and, therefore, claim 17 is patentable for at least the same reason as claim 16. Accordingly, Applicants respectfully request withdrawal of the rejection with respect to claim 17 under 35 U.S.C. § 103(a).

Claims 18, 21, 25, 28, 31, and 35 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stenman and Shim and further in view of Wall. Wall is cited as teaching downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server as recited in the claims. However, Wall does not cure the deficiency of Stenman and/or Shim. Claims 18, 21, 25, 28, 31, and 35 depend on independent claims 16, 19, 22, 26, 29 or 32, each of which are patentable over the combination

of Stenman and Shim, as discussed above. Therefore, dependent claims 18, 21, 25, 28, 31, and 35 are patentable for at least the same reason as their base claims are patentable.

Claims 20, 23, 24, 27, 30, 33 and 34 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stenman and Shim and further in view of August. August does not cure the deficiency of Stenman and/or Shim. Claims 20, 23, 24, 27, 30, and 33-34 depend on independent claims 19, 22, 26, 29 or 32, each of which is patentable over Stenman and Shim as discussed above. Therefore, claims 20, 23, 24, 27, 30, and 33-34 are patentable for at least the same reason as their base claims are patentable.

Claims 39 and 40 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Stenman and Shim and further in view of Wall. Claim 39 includes similar feature as claims 16, 19, 22, 26, 29, 32, 36-38, which are patentable over Stenman and Shim as mentioned above. Wall does not cure the deficiency of Stenman and/or Shim as mentioned above. Therefore, claim 39 and dependent claim 40 are patentable for at least the same reason as claims 16, 19, 22, 26, 29, 32, 36-38.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, claims 16-40 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicants' undersigned attorney at the number indicated below.

Respectfully submitted,

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